



State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES

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(603) 271-2457 FAX (603) 271-7894



Ms. Amy Kaufman
Results Swim and Fitness
64 Epping Rd
Exeter, New Hampshire 03833

LETTER OF DEFICIENCY
WMB PBF 02-72
October 25, 2002

Dear Ms. Kaufman:

The Department of Environmental Services, Water Division ("DES") is required by RSA 485-A:26 to operate a program to ensure the health and safety of the public when using public bathing facilities such as pools and spas. To implement this program, DES has adopted administrative rules Env-Ws 1101-1105 to specify the design, operation, and maintenance requirements for public bathing facilities. DES reviews applications for new public bathing facilities and also inspects and tests the water in existing public bathing facilities to ensure that applicable requirements are being met.

On October 17, 2002, DES inspected the following public bathing facilities at the Results Swim and Fitness, NH: the indoor pool ("Pool") and spa ("Spa"). During this inspection, the following deficiencies were noted:

- Env-Ws 1103.15(c) requires a free residual chlorine concentration between 1.0 mg/L and 3.0 mg/L in public pool water. The free chlorine residual of the Pool water was 0.3 mg/L on October 17, 2002.
2. Env-Ws 1103.15(d) requires a pH between 7.0 and 7.8 in public pool water. The pH of the Pool water was 5.5 on October 17, 2002.
3. Pursuant to Env-Ws 1103.16(h), spa water temperature shall not exceed 104°F. The temperature of the Spa water was 106°F on October 17, 2002.
4. Pursuant to Env-Ws 1104.03(b), the operator shall be responsible for posting conspicuously displayed signs informing patrons of the DES rules relative to patron responsibilities (enclosed copy) and any other safety rules developed by the bathing facility management. Complete patron rules were not posted at the Pool at the time of the inspection. Patron rules were not posted at the Spa at the time of the inspection.
5. Pursuant to Env-Ws 1105.03(b)(3), public spas shall not be operated if an outlet grate is missing, broken or secured in such a way that it can be removed without the use of tools. One of the outlet grates /main drain covers for the Spa was broken.
6. Pursuant to Env-Ws 1105.03(b)(3), suction outlets shall be provided with a cover that has been tested and approved by a nationally recognized testing laboratory. Flat grates under 10" diameter do not meet the requirements of ANSI/NSF Standard 50 or ASME/ANSI A112.19.8M ("Suction Fittings for use in Swimming Pools, Wading Pool, Spas, Hot Tubs, and Whirlpool Bath Applications"). The Spa has a flat grate under 10" diameter.

A report outlining how compliance will be achieved with the cited deficiencies should be submitted to DES within 30 calendar days from receipt of this letter. The report should include the following:

- A copy of two weeks of water quality test results for all facilities (please do not send originals).
2. The type, manufacture, and model of the main drain cover to be installed.
3. A timetable of when:
 - a. the safety items will be in place;
 - b. patron rules will be posted; and
 - c. the installation of the main drain cover will be completed.

DES personnel will conduct another inspection at a later date to determine whether you have come into, and are maintaining, full compliance with RSA 485-A:26 and Env-Ws 1101-1105. In the event that compliance is not achieved, DES may take further action, including seeking an administrative fine up to \$2,000 for each offense or referring the case to the NH Attorney General's Office for judicial action.

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We appreciate your cooperation in this matter. Please contact Amy Wilson at (603) 271-7108 if you have any questions regarding this letter. Copies of Env-Ws 1101-1105 are available through the DES Public Information Center at (603) 271-2975 or via the Internet at <http://www.des.state.nh.us/pools/env1100.pdf>.

Sincerely


COPY
Jody Connor
Limnology Center Director

Enclosure

Certified Mail # *7000 1670 0000 0585 9282*

cc: ✓ Mark Harbaugh, Enforcement Attorney, DES
Amy Wilson, Public Bathing Facility Coordinator, DES
Kenneth E. Berkenbush, Health Officer, Town of Exeter
Dale Boenisch, Results Swim & Fitness

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